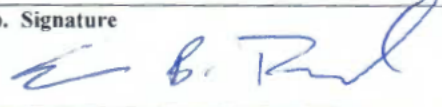
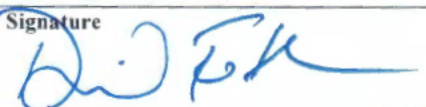


United States Environmental Protection Agency <b>POSITION DESCRIPTION COVERSHEET</b>		<b>1. DUTY LOCATION</b> Washington, D.C.		<b>2. POSITION NUMBER</b> EPES19006	
<b>3. CLASSIFICATION ACTION:</b> a. Reference of Series and Date of Standards Used to Classify this Position					
	<b>b. Title</b>	<b>c. Pay Plan</b>	<b>d. Series</b>	<b>e. Grade</b>	<b>f. CLC</b>
<b>Official Allocation</b>	Associate General Counsel (National FOIA Office)	ES	0905	00	
<b>4. Supervisor's Recommendation</b>	Associate General Counsel	ES	0905	00	
<b>5. ORGANIZATIONAL TITLE OF POSITION</b> (if any) Associate General Counsel, National FOIA Office (NFO)		<b>6. NAME OF EMPLOYEE</b> Timothy Epp			
<b>7. ORGANIZATION</b> (Give complete organizational breakdown)		e.			
a. U.S. ENVIRONMENTAL PROTECTION AGENCY		f.			
b. Office of General Counsel		g.			
c. National FOIA Office		h. Employing Office Location Washington, D.C.			
d.		i. Organization Code CK000000			
<b>8. SUPERVISORY STATUS</b>					
<input checked="" type="checkbox"/> [2] <b>Supervisor or Manager.</b> Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirements for application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in other position classification standards. <input type="checkbox"/> [4] <b>Supervisor.</b> Position meets the definition of Supervisor in 5.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application of the GSSG. <input type="checkbox"/> [5] <b>Management Official.</b> Position meets the definition of Management Official in 5.U.S.C. 7103(a)(11), but does not meet the GSSG definition of Supervisor/Manager or the definition of Supervisor in 5.U.S.C. 7103(a)(10). <input type="checkbox"/> [6] <b>Lead</b> Position leads a team performing one-grade interval work and meets the minimum requirements for application of Part I of the Work Leader Grade Evaluation Guide (WLGE) or is under a wage system and meets similar minimum requirements as specified by those job standards or other directives of the applicable pay system. <input type="checkbox"/> [7] <b>Team Leader.</b> Position leads a team performing two-grade interval work and meets the minimum requirements for application of Part II of the WLGE. <input type="checkbox"/> [8] <b>All Other Positions.</b> Position does not meet any of the above definitions. This is a non-supervisor/non-managerial position.					
<b>9. SUPERVISORY CERTIFICATION</b> I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships and that the position is necessary to carry out governmental functions for which I am responsible. The certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.					
<b>a. Typed Name and Title of Immediate Supervisor</b> Elise B. Packard, Acting Deputy General Counsel		<b>d. Typed Name and Title of Second-Level Supervisor</b> David Fotouhi, Principal Deputy General Counsel			
<b>b. Signature</b> 	<b>c. Date</b> 12/3/18	<b>e. Signature</b> 	<b>f. Date</b> 12/03/18		
<b>10. OFFICIAL CLASSIFICATION CERTIFICATION:</b> I certify that this position has been classified/graded as required by Title 5, U.S. Code, in conformance with standards published by the U.S. Office of Personnel Management or, if no published standards apply directly, consistently with the most applicable published standards.					
<b>a. Promotion Potential</b> <input checked="" type="checkbox"/> This position has no promotion potential <input type="checkbox"/> If position develops as planned and employee progresses satisfactorily, this position has known promotion potential to grade: _____					
(b) (6)		<b>c. Financial Disclosure Form</b> <input type="checkbox"/> OGE-450 Required <input checked="" type="checkbox"/> OGE-278 Required <input type="checkbox"/> No financial disclosure forms required		<b>d. "Identical, Additional" (IA) Allocation</b> This position <input type="checkbox"/> may be IA'ed <input checked="" type="checkbox"/> may not be IA'ed <input type="checkbox"/> is limited to current incumbent	
		<b>e. FLSA Determination</b> <input type="checkbox"/> NONEXEMPT <input checked="" type="checkbox"/> EXEMPT* (*check exemption category) <input type="checkbox"/> Administrative <input checked="" type="checkbox"/> Professional <input checked="" type="checkbox"/> Executive		<b>f. Functional Classification Code</b>  N/A	
<b>g. Bargaining Unit Code</b> 8888	<b>h. Check, if applicable:</b> <input type="checkbox"/> Medical Monitoring Required <input type="checkbox"/> Extramural Resources Management Duties (____ % of time) <input type="checkbox"/> This position is subject to random drug testing (____)		<b>i. Classifier's Signature</b>		<b>j. Date</b> 2/5/19
(b) (6)					



**ASSOCIATE GENERAL COUNSEL  
(NATIONAL FREEDOM OF INFORMATION ACT OFFICE)  
ES-0905-00**

**INTRODUCTION**

The position is located in the National Freedom of Information Act Office (FOIA) Office (NFO) within the Office of General Counsel (OGC). The incumbent serves as the principal adviser to the Chief FOIA Officer (the General Counsel) and the Administrator with respect to EPA's nationwide Freedom of Information Act program. The incumbent is responsible for ensuring the Agency's compliance with, and implementation of, the Freedom of Information Act 5 U.S.C. § 552, which guarantees the public access to agency records not otherwise exempt from disclosure. The incumbent serves as the Associate General Counsel, National FOIA office, overseeing the intake, assignment, and processing of FOIA requests; conducting audits; providing technical and dispute resolution assistance; engaging with internal and external stakeholders; preparing annual reports; providing legal advice; and formulating policy and formal guidance.

The NFO's primary function is to ensure that FOIA requests received by the agency are processed in a timely, accurate, and legally defensible way.

**MAJOR DUTIES AND RESPONSIBILITIES**

Serves as Associate General Counsel of the National FOIA Office (NFO) and Senior Counsel. In this capacity, the incumbent provides strategic advice to the Administrator, General Counsel, and Deputy General Counsel(s) on issues related to compliance with and implementation of the Freedom of Information Act and works closely with the Deputy General Counsel and General Counsel to execute decisions made by the Administrator. In addition, the incumbent provides leadership in the development and implementation of NFO's procedures and policies and supports innovation in implementation of FOIA.

Plans, organizes, directs, controls and coordinates the activities of the office. Develops and oversees processes to plan and track the utilization of NFO resources, including, but not limited to, identifying strategies and priorities in all administrative management areas, such as personnel, facilities, technology, and budget. Provides expert legal advice and technical assistance to the General Counsel and Deputy General Counsel(s) on internal and external management assessments relating to the FOIA program. Develops and implements management strategy to implement final decisions. Coordinates efforts within EPA to link the NFO's Strategic Plan to the overall mission and strategic plan of the Agency.

Conducts extensive outreach to the various stakeholders within EPA, such as the Regional Counsels, Deputy Regional Counsels, Assistant Administrators, Deputy Assistant Administrators, and FOIA coordinators. The incumbent also conducts external outreach to other federal agencies, and the requester community, with respect to broad, cross-cutting information law and public access issues. Represents the General Counsel at the government-wide Chief FOIA Officer's meetings.

Represents EPA and OGC at conferences, meetings, workgroups and task forces held with EPA offices, staff offices of the President, other departments, other nations, Federal, state, and local agencies, and/or organizations (such as tribal organizations). Serves as a liaison between OGC and other Agency programs on matters of common interest, ensuring consistent distribution of information, guidance, and advice.

Conducts and/or directs legal research and prepares memoranda or reports stating the facts and legal issues and justifying recommendations and conclusions. Drafts agency FOIA regulations and prepares reports on changes in FOIA regulations. Briefs senators and representatives and/or their staffs and assists Assistant Administrators and their staffs in preparing for hearing and other meetings with Congressional Personnel on FOIA issues. Provides legal advice to heads of EPA program offices, pertinent Assistant Administrators and Deputy Administrators. Possesses an extensive knowledge of the

legal and technical structures of related programs. Resolves difficult problems requiring a high degree of professional judgment and discretion, individual responsibility, and personal initiative.

Supervises the personnel of the Office. Oversees the recruitment, hiring, development, evaluation, and promotion of employees in the NFO. Recommends incentives, initiates corrective actions, and keeps employees informed of NFO and Agency policies and procedures. Directs the Assistant General Counsel and Lead Government Information Specialist of the National FOIA Office as well as employees within their immediate team as to overall planning and operations. Oversees the development and implementation of budget and programmatic plans and the prioritization of all projects and assignments to ensure they link to the Agency's mission and goals.

Exercises full responsibility to effectively support EPA's and OGC's EEO/Affirmative Action Plan and communicates this support to subordinates. The Director leads the implementation of Agency policies as they pertain to overall quality of work life and employee relations within the NFO.

Performs other related duties as assigned by the General Counsel and Deputy General Counsel(s) based on the needs of the office and Agency.

### **SUPERVISORY CONTROLS**

Works under the direct supervision of the Deputy General Counsel. Exercises independent judgement, initiative, and substantial discretion in accomplishing the work of the office, but consults with the supervisor in matters of unusual importance involving the establishment of precedents and substantial departures from Agency policy. Incumbent has the authority to plan, direct, and oversee all programs and activities in order to ensure timely, defensible, and accurate responses to FOIA requests in accordance with the federal FOIA statute, EPA's FOIA regulations at 40 C.F.R. Part 2, Executive Orders, EPA Policy and Procedures, and EPA implementing directives. Completed work is reviewed from an overall standpoint of feasibility, compatibility with other work, and effectiveness in meeting program objectives. Findings and recommendations are reviewed by the Deputy General Counsel(s) and General Counsel, as appropriate, and especially for potential influence on broad Agency policies, objectives, and program goals related to FOIA implementation and compliance.

### **QUALIFICATIONS**

The incumbent has an LL.B or J.D. degree from an accredited law school, must be admitted to practice before the highest court of a State, U.S. territory, the District of Columbia, or the commonwealth of Puerto Rico; and must maintain active status as a member of the bar of one of these jurisdictions. The incumbent has significant experience in providing legal advice and counsel at EPA, other Federal, state or local agencies, or in private practice